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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,976	10/28/2003	Gil-Yong Park	5000-1-476	4427
33942	7590	12/01/2005	EXAMINER	
CHA & REITER, LLC 210 ROUTE 4 EAST STE 103 PARAMUS, NJ 07652			LIVEDALEN, BRIAN J	
			ART UNIT	PAPER NUMBER
			2878	

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,976

Applicant(s)

PARK ET AL.

Examiner

Brian J. Livedalen

Art Unit

2878

PM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8 and 10-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,11 and 12 is/are allowed.
- 6) ☒ Claim(s) 1 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 2 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to amendments and remarks filed 10/24/2005.

Claim Objections

Claims 1, 4, and 10 are objected to.

Claim 1 recites the limitation "the output signal amplitude detector" in line 11.

There is insufficient antecedent basis for this limitation in the claim.

Claims 4 and 10 are objected to for being dependent on a canceled claim.

Examiner will treat claim 4 as depending from claim 1 and claim 10 as depending from claim 8.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-7, are rejected under 35 U.S.C. 102(e) as being anticipated by Doh et al (US 6909082).

Regarding claim 1, Doh discloses a peak detector having an amplifying terminal (amplification circuit, fig 7, 210) to reduce an offset of a peak value in a received burst signal (column 7, lines 42-45). Doh also discloses a transistor that functions as a diode (fig 7, D1) and a hold capacitor for charging a peak value and maintaining a peak level (fig 7, column 8, lines 7-20). Doh further discloses a signal amplitude detector (bottom level detection, fig 4, 5) to monitor the burst signal amplitude; and to generate a control signal; and a current source to drive a current responsive to the output of the signal amplitude detector (column 5, lines 20-59, column 7, lines 63-67).

Regarding claim 4, Doh discloses a signal amplitude detector (bottom level detection) that generates a control signal and the current source is responsive to the control signal (column 7, lines 63-67).

Regarding claim 5, Doh discloses a peak detector wherein when a negative signal is received in the transistor, the capacitor discharges (column 8, lines 10-12).

Regarding claim 6, Doh discloses a signal amplitude detector (bottom level detection, fig 4, 5) having a differential amplifier (fig 6, 50, column 4, lines 36-44).

Regarding claim 7, Doh discloses an optical receiver with the current source being a MOS FET (column 7, lines 59-67).

Allowable Subject Matter

Claims 8, 11, and 12 allowed. Claim 10 is allowable once objections are overcome.

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claims 2, 8, 11, 10, and 12 are neither anticipated or made obvious by the prior art. The prior art of record fails to disclose a peak detector with an amplifying terminal and a peak hold capacitor with a current source that is connected in parallel with the peak hold capacitor.

Response to Arguments

Applicant's arguments filed 10/24/2005, with respect to claims 1, 2, and 4-7 have been fully considered but they are not persuasive.

Applicant asserts the reference fails to maintain a peak signal and lacks a signal amplitude detector that outputs a control signal. The reference clearly teaches a peak detector that maintains a peak signal (column 8, lines 13 and 14); and a signal amplitude detector with an automatic gain control signal that corresponds to the signal amplitude detector (column 5, lines 56-59). Therefore the above rejection is proper.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

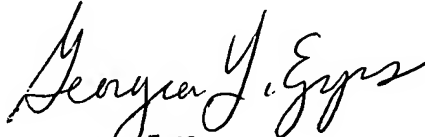
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2878

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjl


Georgia Epps
Supervisory Patent Examiner
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